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February 15, 2008

BY E-FILEING AND HAND DELIVERY

The Honorable Gregory M. Sleet
Chief Judge
United States District Court
J. Caleb Boggs Federal Building
844 N. King Street
Wilmington, Delaware 19801

Re: Phillips v. Molson Coors Brewing Company, et al., C.A. No. 05-604-GMS

Dear Chief Judge Sleet:

I write on behalf of defendants in the above-captioned action. We are in receipt of the case management order signed by Your Honor dated February 8, 2008.

Prior to the assignment of this case to Your Honor, on December 19, 2008 Magistrate Judge Stark held a telephone conference during which he ordered this case to be stayed pending a decision by the Supreme Court in the case *LaRue v. DeWolff, Boberg & Associates, Inc.* Additionally, at the request of the parties, Magistrate Judge Stark ordered that the parties would be permitted to file simultaneous briefs of no more than fifteen pages in length to supplement the existing briefing on defendants' motion to dismiss no later than thirty days after the Supreme Court's decision in *LaRue*. Magistrate Judge Stark's order also provided that the parties may file a response of no more than five pages no later than ten days after the simultaneous briefs are filed. For Your Honor's convenience, a copy of that order is attached hereto.

Defendants advised Magistrate Judge Stark during the telephone conference there are several cases decided since briefing on the motion to dismiss was completed that would be beneficial to the Court in deciding the motion. Accordingly, Defendants respectfully request that Your Honor permit the parties to file supplementary briefs in this case on the schedule assigned by Magistrate Judge Stark.

Counsel are available at the Court's convenience should Your Honor have any questions.

Respectfully submitted,

/s/ Charles F. Richards, Jr.

Charles F. Richards, Jr. (#701)

cc: Clerk of the Court (by electronic filing)
Pamela S. Tikellis, Esquire (by electronic filing)